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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA
12 SACRAMENTO DIVISION
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14 MICHAEL ANTHONY LAWRENCE,
15
16 Plaintiff,
17 v.
18 KILOLO KIJAKAZI,
Acting Commissioner of Social Security,
19 Defendant.
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Case No. 2:22-cv-00307-KJN

STIPULATION FOR THE AWARD AND
PAYMENT OF ATTORNEY FEES AND
EXPENSES PURSUANT TO THE EQUAL
ACCESS TO JUSTICE ACT, 28 U.S.C. §
2412(d), AND COSTS PURSUANT TO
28 U.S.C. § 1920

22
23 IT IS HEREBY STIPULATED by and between the parties through their undersigned
24 counsel, subject to the approval of the Court, that Plaintiff be awarded attorney fees and expenses
25 in the amount \$7,500.00 (SEVEN THOUSAND FIVE HUNDRED dollars) under the Equal Access
26 to Justice Act (EAJA), 28 U.S.C. § 2412(d), and costs in the amount of \$402.00 (FOUR
27 HUNDRED AND TWO dollars) under 28 U.S.C. § 1920. This amount represents compensation
28 for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action,

1 in accordance with 28 U.S.C. §§ 1920; 2412(d).

2 After the Court issues an order for EAJA fees to Plaintiff, the government will consider the
3 matter of Plaintiff's assignment of EAJA fees to counsel, if any. Pursuant to *Astrue v. Ratliff*, 560
4 U.S. 586, 598, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010), the ability to honor any assignment will
5 depend on whether the fees are subject to any offset allowed under the United States Department
6 of the Treasury's Offset Program. After the order for EAJA fees is entered, the government will
7 determine whether they are subject to any offset.

8 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines
9 that Plaintiff does not owe a federal debt, then the government shall cause the payment of fees,
10 expenses and costs to be made directly to counsel, pursuant to the assignment executed by Plaintiff.
11 Any payments made shall be delivered to counsel.

12 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA
13 attorney fees and does not constitute an admission of liability on the part of Defendant under the
14 EAJA or otherwise. Payment of the agreed amount shall constitute a complete release from, and
15 bar to, any and all claims that Plaintiff and/or counsel including counsel's firm may have relating
16 to EAJA attorney fees in connection with this action.

17 This award is without prejudice to the rights of counsel and/or counsel's firm to seek Social
18 Security Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of the
19 EAJA.

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21 DATE: March 3, 2023

/s/ Jared T. Walker

JARED T. WALKER

Attorney for Plaintiff

*Authorized via e-mail on March 3, 2023

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24 PHILLIP A. TALBERT

United States Attorney

MATHEW W. PILE

Associate General Counsel

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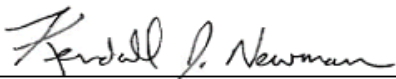
By /s/ Elizabeth Landgraf
ELIZABETH LANDGRAF
Special Assistant United States Attorney

Attorneys for Defendant

ORDER

Based upon the parties' Stipulation for the Award and Payment of Equal Access to Justice Act Fees, Costs, and Expenses, IT IS ORDERED that fees and expenses in the amount of \$7,500.00 as authorized by 28 U.S.C. § 2412, and costs in the amount of \$402.00 as authorized by 28 U.S.C. § 1920, be awarded subject to the terms of the Stipulation.

Dated: March 3, 2023


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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